

12-28-01

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# Gray Cary Ware & Freidenrich LLP

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December 21, 2001

**ATTORNEY DOCKET No.: DIVER1460-21**

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new CONTINUATION patent application of:

Applicant: **JAY M. SHORT**  
Title: **EXONUCLEASE-MEDIATED NUCLEIC ACID REASSEMBLY IN DIRECTED EVOLUTION**

Enclosed are the following papers, including all those required for a filing date under 37 C.F.R. § 1.53(b):

Pages of Specification	235
Pages of Claims	2
Pages of Abstract	1
Sheets of Drawing	6
Information Disclosure Statement (Form 1449)	
from parent	9
Declaration by Inventors (from parent)	3
Assignment (from parent)	7

"EXPRESS MAIL" Mailing Label Number EV 047 298 423US  
 Date of Deposit **December 21, 2001**  
 I hereby certify under 37 CFR§ 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231.

*Jason Berry*

1132 U.S. PTO  
12/21/01

1050 U.S. PTO  
10/029221  
12/21/01

Under 35 USC § 120 this application claims priority to U.S. application serial No. 09/535,794, filed March 27, 2000, which is a continuation-in-part of Serial No. 09/522,289, filed on March 9, 2000 (entitled End Selection in Directed Evolution); which is hereby incorporated by reference; which is a continuation-in-part of U.S. application serial no. 09/498,557, filed on February 4, 2000 (entitled Non-Stochastic Generation of Genetic Vaccines and Enzymes), which is hereby incorporated by reference; which is a continuation-in-part of U.S. application serial No. 09/495,052, filed on January 31, 2000 (entitled Non-Stochastic Generation of Genetic Vaccines), which is hereby incorporated by reference; which is a continuation-in-part of U.S. application serial No. 09/332,835, filed June 14, 1999 (entitled Synthetic Ligation Reassembly in Directed Evolution), which is hereby incorporated by reference; which is a continuation-in-part of U.S. application serial No. 09/276,860, filed on March 26, 1999 (entitled Exonuclease-Mediated Gene Assembly in Directed Evolution), which is hereby incorporated by reference, which is a continuation-in-part of U.S. application serial No. 09/267,118, filed on March 9, 1999 (entitled End Selection in Directed Evolution), which is hereby incorporated by reference, which is a continuation-in part of U.S. application serial No. 09/246,178, filed Feb. 4, 1999 (entitled Saturation Mutagenesis in Directed Evolution), which is hereby incorporated by reference; which is a continuation-in part of U.S. application serial No. 09/185,373 filed on Nov. 3, 1998 (entitled Directed Evolution of Thermophilic Enzymes), which is hereby incorporated by reference; which is a continuation of U.S. application serial No. 08/760,489 filed on Dec. 5, 1996 (entitled Directed Evolution of Thermophilic Enzymes, now USPN 5,830,696), which is hereby incorporated by reference; which is a continuation-in-part of U.S. provisional application number 60/008,311 filed on Dec. 07, 1995, which is hereby incorporated by reference.

U.S. application serial No. 09/246,178, filed Feb. 4, 1999 (entitled Saturation Mutagenesis in Directed Evolution) is also a continuation-in-part of U.S. application serial No. 08/962,504 filed on Oct. 31, 1997 (entitled Method of DNA Shuffling), which is hereby incorporated by reference; which is a continuation-in-part of U.S. application serial No. 08/677,112 filed on July 09, 1996 (entitled Method of DNA Shuffling with Polynucleotides Produced by Blocking or Interrupting A Synthesis or Amplification Process, now USPN 5,965,408), which is hereby incorporated by reference.

U.S. application serial No. 09/246,178, filed Feb. 4, 1999 (entitled Saturation Mutagenesis in Directed Evolution) is also a continuation-in-part of U.S. application serial No. 08/651,568 filed on May 22, 1996 (entitled Combinatorial Enzyme Development, now USPN 5,939,250), which is hereby incorporated by reference; which is a continuation-in-part of U.S. provisional application serial No. 60/008,316, filed Dec. 7, 1995, which is hereby incorporated by reference.

Basic filing fee ( <i>SMALL ENTITY</i> )	\$0.00
Total claims in excess of 20 times \$18.00	0.00
Independent claims in excess of 3 times \$78.00	0.00
Multiple dependent claims ( <i>if applicable</i> )	0
<b>TOTAL FILING FEE:</b>	<b>\$0.00</b>

The payment of the filing fee is to be deferred until the Declaration is filed. Do not charge our deposit account. Please charge Deposit Account No. 50-1355 for any fees other than the FILING FEE.

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If this application is found to be INCOMPLETE, or if it appears that a telephone conference would helpfully advance prosecution, please telephone the undersigned at (858) 677-1456.


Kindly acknowledge receipt of this application by returning the enclosed postcard.

Respectfully submitted,



Lisa A. Haile, Ph.D.

Registration No. 38,347

  
Date

LAH/lmb

Enclosure

Gray Cary\GT\6271847.1

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